

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Duane L. JOHNSON *et al.* Confirmation No.: 8933

Application No.: 10/575,528 Group Art Unit: 1761

Filed: April 2, 2007 Examiner: *To Be Assigned*

**For: Production of Gluten-Free Food Products Using Timothy Grass**

Commissioner for Patents  
U.S. Patent and Trademark Office  
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Alexandria, VA 22314

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, copies of documents 1-4 cited in the attached Form PTO-1449 are enclosed.
- ☐ Copies of the remaining publications listed on the attached Form PTO-1449 are not being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial Nos.:  
to which the above-identified application claims priority under 35 U.S.C. §120.
- ☐ Copies of documents that were not submitted in the above-mentioned related United States Patent Applications may be found in related United States Patent Application Nos.:  
Should the Examiner be unable to locate a document, a copy will be provided upon request.
- ☐ No copies of any U.S. patents or U.S. patent application publications listed on the attached Form PTO-1449 are being provided pursuant to 37 C.F.R. §1.98.

- ☒ Documents 1-3 were cited in an International Search Report mailed January 26, 2005 (cited herein as document 4), in Applicants' related PCT Application no. PCT/US2004/033410.
- ☒ Document 4 is an official communication from a foreign patent office received in Applicants' related Application No. PCT/US2004/033410.
- ☐ Documents \_\_\_\_\_ submitted herewith were not cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. English language publication \_\_\_\_ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed are abstracts of non-English publications \_\_\_\_\_, cited herein as documents \_\_\_\_\_ respectively. English abstracts are attached to each document. An English abstract of non-English publication \_\_\_\_\_, document \_\_\_\_\_, may be found on the cover page of the publication.
- ☐ Enclosed is an English translation of non-English publications \_\_\_\_\_, cited herein as documents \_\_\_\_\_ respectively. English translations are attached to each document.

This Information Disclosure Statement is filed within any one of the following time periods:

- ☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- ☒ before the mailing date of a first office action on the merits; or
- ☐ before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.


It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Forms PTO-1449 to the undersigned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-1283.

Dated: October 2, 2007

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